

Transcript of the Testimony of  
**KATHLEEN MARIE MCGUFFIN**

**Date:** September 8, 2023

**Case:** MCGUFFIN v. DANNELS, et al.

Case No.: 6:20-cv-01163 MK

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Page 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
EUGENE DIVISION  
NICHOLAS JAMES MCGUFFIN, as an ) CIVIL NO.  
individual and as guardian ) 6:20-cv-01163-MK  
of S.M., a minor, )

Plaintiffs, )  
)  
vs. )  
)

MARK DANNELS, PAT DOWNING, )  
SUSAN HORMANN, MARY KRINGS, )  
KRIS KARCHER, SHELLY MCINNES, )  
RAYMOND MCNEELY, KIP OSWALD, )  
MICHAEL REAVES, JOHN RIDDLE, )  
SEAN SANBORN, ERIC )  
SCHWENNINGER, RICHARD WALTER, )  
CHRIS WEBLEY, ANTHONY WETMORE, )  
KATHY WILCOX, CRAIG ZANNI, )  
DAVID ZAVALA, JOEL D. SHAPIRO )  
AS ADMINISTRATOR OF THE ESTATE )  
OF DAVID E. HALL, VIDOCC )  
SOCIETY, CITY OF COQUILLE, )  
CITY OF COOS BAY, and COOS )  
COUNTY, ) VIDEOTAPED DEPOSITION  
Defendants. ) OF  
) KATHLEEN MARIE MCGUFFIN

VIDOCC SOCIETY, )  
)  
Cross-Claimant, )  
)  
vs. )  
)

MARK DANNELS, PAT DOWNING, )  
SUSAN HORMANN, MARY KRINGS, )  
KRIS KARCHER, SHELLY MCINNES, )  
RAYMOND MCNEELY, KIP OSWALD, )  
MICHAEL REAVES, JOHN RIDDLE, )  
SEAN SANBORN, ERIC )  
SCHWENNINGER, RICHARD WALTER, )  
CHRIS WEBLEY, ANTHONY WETMORE, )  
KATHY WILCOX, CRAIG ZANNI, )  
(caption continues on next page)

Page 3

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Page 2

Page 4

1 DAVID ZAVALA, JOEL D. SHAPIRO )  
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2 OF DAVID E. HALL, VIDOCC )  
SOCIETY, CITY OF COQUILLE, )  
3 CITY OF COOS BAY, and COOS )  
COUNTY )

4 Cross-Defendants. )  
5 )

6 NICHOLAS JAMES MCGUFFIN, as an )  
individual and as guardian )  
ad litem, on behalf of S.M., )  
7 a minor, )

8 Plaintiff, )  
9 )

10 vs. )  
11 )

12 OREGON STATE POLICE, )  
13 )

14 Defendant. )  
15 )

16 VIDEOTAPED DEPOSITION OF KATHLEEN MARIE MCGUFFIN  
17 Taken on behalf of the Plaintiff, at 27-2168 Hawaii  
18 Belt Road, Papaikou, Hawaii, commencing at 10:07 a.m.  
19 HST/1:07 p.m. PDT, on Friday, September 8, 2023,  
20 pursuant to Notice.  
21

22 REPORTED BY:  
23 TERI HOSKINS, CSR. NO. 452  
24 Registered Merit Reporter  
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13 ALSO PRESENT:  
14 NICHOLAS MCGUFFIN  
15 MARY MARVIN PORTER, VIDEOGRAPHER  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 (Pages 1 to 4)

Page 5

|   |                             |      |
|---|-----------------------------|------|
| 1 | CONTENTS                    |      |
| 2 | DEPONENT                    | PAGE |
| 3 | KATHLEEN MARIE MCGUFFIN     |      |
| 4 | EXAMINATION BY MS. PURACAL  | 7    |
| 5 | EXAMINATION BY MR. FRANZ    | 84   |
| 6 | EXAMINATION BY MR. MARSHALL | 98   |
| 7 | EXAMINATION BY MS. JONES    | 105  |

## EXHIBITS

|    |   |      |
|----|---|------|
| 11 | DEPOSITION EXHIBIT                        | PAGE |
| 12 | Exhibit 1 Photograph of Nick and Leah     | 12   |
| 13 | Exhibit 2 Phone records                   |      |
| 14 | Exhibit 3 Gas records                     |      |
| 15 | Exhibit 4 Photographs, going to visit dad |      |
| 16 | Exhibit 5 Photographs, V. growing up      |      |
| 17 | Exhibit 6 Video                           |      |

Page 7

1 MS. JONES: Rachel Jones on behalf of Vidocq  
 2 Society.  
 3 MR. DEFREEST: Eric DeFreest on behalf of  
 4 Richard Walter.  
 5 VIDEOGRAPHER: Will the counsel for the  
 6 plaintiff please introduce themselves.  
 7 MS. PURACAL: Janis Puracal on behalf of  
 8 Plaintiffs.  
 9 MR. LAUERSDORF: Andrew Lauersdorf on behalf  
 10 of Plaintiff.  
 11 VIDEOGRAPHER: Will the court reporter  
 12 please swear in the witness at this time.

14 KATHLEEN MARIE MCGUFFIN,  
 15 having been first duly sworn or affirmed to tell the  
 16 truth, the whole truth, and nothing but the truth, was  
 17 examined and testified as follows:

## EXAMINATION

BY MS. PURACAL:

Q. All right, Mrs. McGuffin.

A. Yes.

Q. Can you give us your full name and spelling  
for the record.

A. Kathleen Marie McGuffin, K-a-t-h-l-e-e-n,

Page 6

1 Friday, September 8, 2023  
 2 10:07 a.m. HST/1:07 p.m. PDT

4 VIDEOGRAPHER: Good morning. This is the  
 5 videotaped deposition of Kathy McGuffin taken by the  
 6 Plaintiff in the matter of Nicholas James McGuffin  
 7 versus Mark Dannels, et al., Case No. 6:20-cv-01163-MK  
 8 in the U.S. District Court for the District of Oregon,  
 9 Eugene Division.

10 The video deposition is being held at  
 11 27-2168 Hawaii Belt Road, Papaikou, Hawaii 96781. The  
 12 video deposition is being held on September the 8th,  
 13 2023, at 10:07 a.m.

14 The court reporter is Teri Hoskins from the  
 15 firm of Island Court Reporter. Videographer is Mary  
 16 Marvin Porter of Island Eyes Video.

17 Will the counsel for the defendant please  
 18 introduce themselves.

19 Can they do that -- hear me?

20 MS. PURACAL: Did the defendants want to  
 21 start, on Zoom, by introducing yourself?

22 MR. FRANZ: Robert Franz for the municipal  
 23 defendants.

24 MR. MARSHALL: Todd Marshall on behalf of  
 25 the State defendants.

Page 8

1 M-a-r-i-e, M-c-G-u-f-f-i-n.

2 Q. How are you related to Nicholas McGuffin?

3 A. Nicholas is my son.

4 Q. When was Nick born?

5 A. He was born April 25th, 1982.

6 Q. And where was he born?

7 A. In Portland, Oregon.

8 Q. Besides Nick, how many other children do you  
 9 have?

10 A. One.

11 Q. What is his name?

12 A. Wayne McGuffin.

13 Q. How old is Wayne?

14 A. Wayne is 43.

15 Q. How are you related to V.M.?

16 A. V. is my granddaughter.

17 Q. And besides V., how many grandchildren do you  
 18 have?

19 A. One other grandchild, so two all together.

20 Q. Where are you currently living?

21 A. In Orchidland, in Hawaii, on the Big Island.

22 Q. How long have you lived in Hawaii?

23 A. A little over a year.

24 Q. Where did you live before Hawaii?

25 A. In Coquille, Oregon.

2 (Pages 5 to 8)

Page 13

1 extra clothes on her -- on her back, so Nick and I  
2 were taking pictures, and we turned around, and she  
3 had put on a set of Nick's blue jeans and his football  
4 Jersey, so...

5 Q. Was that -- high school. You said senior  
6 photos. Was that Nick's senior photos?

7 A. Nick's senior photos, yes.

8 Q. Did you get a chance to observe Nick and  
9 Leah together?

10 A. Yes.

11 Q. What were they like together?

12 A. They were -- they were very good together.  
13 They had a couple squabbles -- you'd hear them  
14 squabble -- but it was nothing major, and -- no, they  
15 got along very good. They enjoyed going places  
16 together and just being together.

17 Q. Did you ever see them fight?

18 A. Just arguments.

19 Q. Ever any physical violence?

20 A. Never any physical.

21 Q. Let's talk about the summer of 2000 before  
22 Leah went missing.

23 In June of 2000, did --

24 MR. FRANZ: Excuse me, Janis.

25 MS. PURACAL: Yes.

Page 15

1 A. Yes, he did.

2 Q. What car was that?

3 A. That was a Ford Thunderbird.

4 Q. What color was the Thunderbird?

5 A. It was maroon, and it was an older edition,  
6 too. It wasn't old as the Mustang, but it was an  
7 older vehicle too.

8 Q. Why did Nick have access to the Thunderbird?

9 A. He -- the Mustang had a gas leak in it, so  
10 he was driving the -- it was -- Bruce's car was the  
11 Thunderbird, so he was driving Bruce's car, because  
12 his tank leaked.

13 Q. At some point, did Bruce take away the keys  
14 to the Thunderbird?

15 A. Yes, he did. It was the Monday night before  
16 Leah disappeared. Him and Bruce had met up at -- at  
17 home. We were there, and he was upset with Nick  
18 because he hadn't done -- applied for the jobs that he  
19 was supposed to be applying for; and so he took --  
20 took the keys away and told him he didn't get the  
21 T-bird back until he got a job.

22 Q. And how do you know that -- that Bruce took  
23 those keys away?

24 A. Because I was right there.

25 Q. Do you know where those keys were placed?

Page 14

1 MR. FRANZ: Could you speak a little bit  
2 slow -- slower? Because we're getting a delay --

3 MS. PURACAL: Oh, sure. Yeah.

4 MR. FRANZ: -- so the words are merging  
5 together.

6 MS. PURACAL: Sure. We'll try and -- we'll  
7 try and do better.

8 BY MS. PURACAL:

9 Q. Okay. We're going to talk about the summer  
10 of 2000.

11 A. Okay.

12 Q. In June of 2000, did Nick have his own car?

13 A. Yes.

14 Q. What kind of car did he have?

15 A. He had a blue older-model Mustang.

16 Q. And do you know what year that was?

17 A. It was a '68 or '69. I think it's '68. I'm  
18 not positive.

19 Q. Where did he get that car?

20 A. Dad bought it for him.

21 Q. So your dad. That would be his grandfather?

22 A. I believe so, yes.

23 Q. In June of 2000, in the weeks before Leah  
24 went missing, did Nick have access to one of Bruce's  
25 cars?

Page 16

1 A. Yes. They were placed in the headboard of  
2 our -- in our bedroom, in our -- mine -- Bruce and my  
3 bedroom.

4 Q. Did you see them there?

5 A. Yes, I did.

6 Q. In June of 2000, did you have a vehicle?

7 A. Yes, I did.

8 Q. What kind of vehicle did you have?

9 A. It was a burnt orange Ford Ranger, a little  
10 pickup.

11 Q. Do you remember what day Leah disappeared?

12 A. Yeah, June 28th, 2000.

13 Q. Did you work that day?

14 A. Yes, I did.

15 Q. What time did you get home from work?

16 A. I got home probably 4:00 to 4:30.

17 Q. Who was at home when you got there?

18 A. Bruce.

19 Q. Anybody else?

20 A. Nope.

21 Q. So Nick wasn't there?

22 A. No.

23 Q. What did you do that evening? Do you  
24 remember?

25 A. Yep. It was -- come home, just kind of

4 (Pages 13 to 16)

Page 17

1 relax for a few, ate dinner, and watched TV, and then  
2 probably about 9:00, 9:30, went to bed.

3 Q. Do you remember if you were on call at that  
4 point in time?

5 A. That evening, I -- I would have went on  
6 call.

7 Q. Okay. Can you tell us what it means to be  
8 on call?

9 A. On call is a -- smaller hospitals do it,  
10 because they don't staff a position throughout the  
11 night, and so they just take from the regular staff  
12 and they take call; they're able to be at home. And  
13 they just call you when they need an x-ray -- I'm an  
14 x-ray tech -- and just when they need you, then you go  
15 in and do -- do what they wanted.

16 Q. Okay. So on that night, the night of  
17 June 28th, 2000, you were on call --

18 A. Yes.

19 Q. -- that night?

20 What do you remember about that night after  
21 you went to bed?

22 A. Let's see. Went to bed at 9:00, 9:30. It  
23 was probably about 10:15 or so, phone rang. We  
24 were -- Bruce and I were in bed, and it was Nick. He  
25 was wondering if Leah had called or we had heard from

Page 18

1 her, and that he was looking for her, and that was it.  
2 And we hung up and then went back to bed.

3 Probably, then, about 2 -- between 2:00 and  
4 2:30 -- not exact, but -- Nick came home, and it was  
5 Nick, because he walked by our bedroom door, which are  
6 adjacent to each other, and he said "I'm home" or "I'm  
7 here," and -- and then I went back to bed. Bruce was  
8 still in bed.

9 And around 4:00 -- 4:00 to 4:30, I got a  
10 phone call. I answered it right away, because I was  
11 on call; and it was some random person calling, and I  
12 don't remember what they said, but -- then they hung  
13 up. And then at that point, both Nick and Bruce had  
14 got up. Nick got up because he wanted to know who was  
15 on the phone, and Bruce went to the bathroom. And we  
16 told Nick who was on the phone, and then we all went  
17 back to bed. He took the hand phone from the living  
18 room phone and took it to bed with him so he could  
19 answer the phone. And then that was the night.

20 Q. Okay. I'm going to back up a little bit --

21 A. Okay.

22 Q. -- and ask you some details about that.

23 A. Okay.

24 Q. So that call that you said that you got at  
25 about 10:00-something --

Page 19

1 A. Uh-huh.

2 Q. -- that night, did you know the time at that  
3 time? Did you look at a clock?

4 A. I think it was on -- on the phone. Yes.

5 Q. Okay. And do you remember the exact time  
6 that you got that call?

7 A. No, I don't know the exact time.

8 Q. Would it help to refresh your recollection  
9 if you looked at your phone records?

10 A. Probably, yes.

11 Q. Okay. I'm going to hand you what I have  
12 marked as Exhibit 2. I'm going to hand you this so  
13 that you can look at the time, and then I'm going to  
14 take it away from you and I'm going to ask you the  
15 question again.

16 A. Okay.

17 Q. And we're looking for June 28th, 2000.

18 MR. FRANZ: I'm going to object. The  
19 document is hearsay.

20 THE WITNESS: There we go, 6/28/00, 10:44.

21 BY MS. PURACAL:

22 Q. And I'm not -- I'm going to take that away  
23 from you --

24 A. Oh, sorry.

25 Q. -- and I'm going to ask you the question

Page 20

1 again.

2 Do you remember the exact time that you got  
3 the phone call?

4 A. Yes, I do now.

5 Q. What's the exact time you got the phone  
6 call?

7 A. 10:44 p.m. on June 28th.

8 Q. In June of 2000, you had a 1-800 number. Is  
9 that right?

10 A. Yes.

11 Q. And why did you have that 1-800 number?

12 A. We had the 1-800 number -- my husband was  
13 a -- was a truck driver, so he was either long hauling  
14 or driving a long truck, and it just made him --  
15 easier when he was out on the road to have a number  
16 that he could just dial and be direct to our house,  
17 because there was no cell -- we didn't have cell  
18 phones then.

19 Q. Did Nick also have access to that 800  
20 number?

21 A. Yes, he did.

22 Q. At that time, that 10:44 p.m. time, when you  
23 got that phone call from Nick, was Bruce there with  
24 you?

25 A. Yes.

5 (Pages 17 to 20)

Page 21

Page 23

1 Q. Where was he?  
 2 A. He was in bed.  
 3 Q. Did Bruce leave the house after that call?  
 4 A. No, he did not.  
 5 Q. Did you go back to sleep after Nick called?  
 6 A. Yes.  
 7 Q. And tell me a little bit about your -- I  
 8 guess your sleep pattern at that point in time. Were  
 9 you a light sleeper? A heavy sleeper?  
 10 A. I'm generally --  
 11 MR. FRANZ: Excuse me. Excuse me. Jan, I  
 12 can't understand your question. I'm sorry.  
 13 MS. PURACAL: That's okay.  
 14 MR. FRANZ: Could you slow it down?  
 15 MS. PURACAL: That's --  
 16 MR. FRANZ: It was good, but it --  
 17 VIDEOGRAPHER: Who's that talking?  
 18 MR. FRANZ: -- I can't under- --  
 19 VIDEOGRAPHER: Can you turn their volume  
 20 down? There's so much --  
 21 MS. PURACAL: Yes. We're going to turn the  
 22 volume down a little bit on the Zoom here, a little  
 23 bit, but I can hear you still, Robert. And so I will  
 24 slow my questions down again.  
 25

1 A. He was in bed.  
 2 Q. Next to you?  
 3 A. Yes.  
 4 Q. Did Nick come home at any point before that  
 5 time?  
 6 A. Before the 2:30, no.  
 7 Q. And then you also talked about that phone  
 8 call that you got between 4:00 and 4:30 in the  
 9 morning.  
 10 A. Yes.  
 11 Q. At that point in time, was Bruce still in  
 12 bed next to you?  
 13 A. Yes, he was.  
 14 Q. And was Nick still at home asleep?  
 15 A. I don't know if he was sleeping, but he was  
 16 home.  
 17 Q. Okay. Do you remember what time you woke up  
 18 to get ready for work the next morning?  
 19 A. It was probably between 7:00 and 7:30.  
 20 Q. And at that point, was Nick still at home?  
 21 A. Yes.  
 22 Q. And was Bruce still at home?  
 23 A. Yes.  
 24 Q. What do you remember about that morning  
 25 while you were getting ready for work?

Page 22

Page 24

1 BY MS. PURACAL:  
 2 Q. Okay. We were talking there about after  
 3 that 10:44 p.m. call.  
 4 A. Yes.  
 5 Q. And I asked you if you had gone back to  
 6 sleep.  
 7 A. And yes, I did.  
 8 Q. Okay. Were you a light sleeper at that  
 9 point?  
 10 A. Yes.  
 11 Q. Why was that?  
 12 A. Mostly I'm a light sleeper, because Nick was  
 13 gone, and when they get home, I feel safe that they're  
 14 fine; but mostly, also, too, I'm on call for the  
 15 hospital, and I was that night, and it's just a normal  
 16 feeling, when you're on call; you know the phone is  
 17 going to ring, so you kind of anticipate it.  
 18 Q. And then you talked next about that -- that  
 19 time between 2:00 and 2:30 in the morning when Nick  
 20 came home.  
 21 A. Uh-huh.  
 22 Q. At that point in time, was Bruce still there  
 23 with you?  
 24 A. Yes, he was.  
 25 Q. Where was he?

1 A. I got ready, and I was just heading out the  
 2 door. The phone rang, and it was Cory, Leah's mother,  
 3 and she wanted to talk to -- wanted to know if Leah  
 4 was here, and then she wanted to talk to Nick, and  
 5 then told him that she hadn't come home. And Nick  
 6 said, "Okay, I'll -- give me a few minutes. I'll be  
 7 right there," and then he left and went over to Cory's  
 8 house, and then I went to work.  
 9 Q. At some point, did you become aware that the  
 10 police suspected that Bruce was involved in Leah's  
 11 murder?  
 12 A. Yes.  
 13 Q. Did you see Bruce leave the house at any  
 14 point on the night of June 28th, 2000?  
 15 A. Not at all. He did not leave.  
 16 Q. What about your other son, Wayne? Was he  
 17 living with you on June 28th, 2000?  
 18 A. No. He was living with my sister, who lives  
 19 over in North Bend, and was living there full-time.  
 20 Q. And North Bend is a different town?  
 21 A. Yes.  
 22 Q. Did you provide information to the police  
 23 about where Bruce was on the night of June 28th, 2000?  
 24 A. Yes. At some point I did.  
 25 MR. FRANZ: Object to the form of the

6 (Pages 21 to 24)

Page 25

1 question. It's vague.

2 BY MS. PURACAL:

3 Q. You can go ahead if you understand my  
4 question.

5 A. Ask it again, please.

6 Q. Sure.

7 I asked if you -- at some point, did you  
8 provide information to the police about where Bruce  
9 was on the night of June 28th?

10 A. Yes. Definitely.

11 Q. At some point, did you also become aware  
12 that the police suspected that Nick switched cars on  
13 the night that Leah disappeared?

14 A. Yes.

15 Q. When you came home from work on June 28th,  
16 2000, did you see the marine -- the maroon  
17 Thunderbird?

18 A. Yes.

19 Q. Where was it?

20 A. Parked in the driveway.

21 Q. And can you just explain to us what the  
22 driveway looks like?

23 A. We have -- our house sits right here. It's  
24 a long house. And then you come up the driveway, and  
25 you just pull in right in front of the house. There's

Page 27

1 information about where the Thunderbird was parked on  
2 the night of June 28, 2000?

3 A. Yes.

4 Q. What about your Ranger pickup? Where was  
5 that on the night of June 28th, 2000?

6 A. It was parked in the front, adjacent to the  
7 Thunderbird.

8 Q. Who had the keys to that truck on that  
9 night?

10 A. I did.

11 Q. Did you ever give Nick the keys to use the  
12 truck that night?

13 A. That night, no.

14 Q. Why was that?

15 A. Because I was on call for the hospital, and  
16 if they called, I had to go immediately, so I needed  
17 transportation.

18 Q. Did you provide the police with information  
19 about where the Ranger was parked on the night of  
20 June 28, 2000?

21 A. Yes.

22 Q. You had a Cardlock account to get gas for  
23 the cars?

24 A. Yes.

25 Q. That was back in 2000?

Page 26

1 steps right here, and you go right in the door right  
2 here, and -- so it's just right outside the front  
3 door.

4 Q. And where did you park in relation to the  
5 stairs?

6 A. I parked adjacent to the Thunderbird, with a  
7 space in between.

8 Q. So did you have to pass by the  
9 Thunderbird --

10 A. Yes.

11 Q. -- to get in the house?

12 Did you see the Thunderbird leave your  
13 driveway at any point that night?

14 A. No.

15 Q. Do you know where the keys to the  
16 Thunderbird were on the night of June 28th, 2000?

17 A. Yes. They were still in the bed head -- or  
18 headboard of -- in the bedroom of our bedroom.

19 Q. Did you see them there?

20 A. Yes.

21 Q. Did you inform the police, or did you  
22 provide the police with information about Bruce taking  
23 away the keys to the Thunderbird?

24 A. Yes.

25 Q. Did you also provide the police with

Page 28

1 A. Yes.

2 Q. Can you explain to us, what is a Cardlock  
3 account?

4 A. It's mostly for truck drivers. They can --  
5 their families can use it also, and it's just a gas  
6 station that you can go to. There's no attendant, so  
7 you have to pump your own gas. And it's all  
8 computerized, and it goes to the -- the billing, and  
9 then you can just stop there and pump your gas at any  
10 hour of the night.

11 Q. How did it work? Did you have to have the  
12 card or a code?

13 A. I think you had to have both. You put a  
14 card in, and then I think you had to punch a code  
15 after that.

16 Q. And why did you have that Cardlock account?

17 A. The Cardlock account was same reason for the  
18 800 number. It made it easier for Bruce on the  
19 highway, because when he stops and refills, it's  
20 hundreds and hundreds of dollars, and it just made it  
21 easier to do it that way and then just get a bill at  
22 the end of the month.

23 Q. Did Nick have access to that Cardlock  
24 account?

25 A. Yes, he did.

7 (Pages 25 to 28)

Page 29

1 Q. Did you see the account statement for the  
2 Cardlock account for June of 2000?

3 A. Yes.

4 Q. Do you know the exact time that your  
5 Cardlock account was accessed on the night of  
6 June 28th, 2000?

7 A. No, I just know it was accessed that night.

8 Q. Would it help to refresh your recollection  
9 if you saw a copy of that account statement?

10 A. Probably.

11 Q. Okay. I'm going to -- we're going to do the  
12 same thing we did last time.

13 A. Uh-huh.

14 Q. We're going to show you this, what I've got  
15 marked as Exhibit 3, and then I'm going to take it  
16 away from you and I'm going to ask you the question  
17 again.

18 A. Okay.

19 Q. Okay. And we're looking for the time that  
20 it was accessed on June 28th, 2000.

21 MR. FRANZ: Okay. Let me make an objection.  
22 I'll make an objection as to all exhibits not timely  
23 provided, and then I'm going to make an objection lack  
24 of foundation, as to this exhibit, and hearsay.

25 MR. MARSHALL: Lack of foundation.

Page 31

1 try to get the word out about Leah missing?

2 A. Yes. We -- yes, we -- I did. I helped  
3 Nick -- the first thing we did was make fliers, and  
4 then we were able to get -- a friend of ours owns a  
5 store that has a copier, so we were able to get a  
6 bunch of color copies out there. Did that. I didn't  
7 do a lot of searching like Nick -- and my husband  
8 helped him a few times, but I didn't, because I was  
9 working and -- but I helped with the fliers and all  
10 that.

11 Q. Did you -- you mentioned Nick and your  
12 husband out searching for Leah.

13 Did you ever see Nick out searching for Leah  
14 with anyone else?

15 A. Yes. He was out with -- at the beginning  
16 with Maggie Downs, Brent Bartley and him spent a lot  
17 of time searching, and then he was with Denise, who  
18 was Leah's sister, at the beginning, too.

19 Q. How was Nick's mood during those first few  
20 weeks of looking for Leah?

21 A. Very distraught, no sleep, so he was just  
22 not with it a lot of times, just tired because he  
23 wasn't getting any rest, anxious because he wanted to  
24 find Leah.

25 Q. Did you think that Leah had just run away?

Page 30

1 Objection, lack of foundation and hearsay.

2 BY MS. PURACAL:

3 Q. And I'm --

4 MR. FRANZ: Beg your pardon?

5 BY MS. PURACAL:

6 Q. I'm going to go ahead and take that away  
7 from you.

8 Can you tell me what time was your Cardlock  
9 account accessed on the night of June 28, 2000?

10 A. 10:44.

11 Q. Do you want to look at that again?

12 A. Yeah. My memory is getting to me. Sorry.

13 Q. That's okay.

14 A. Okay. June 28th.

15 Q. Okay. Now can you tell me what time was  
16 your Cardlock account accessed on the night --

17 A. 10:19.

18 Q. Okay.

19 A. p.m.

20 Q. Do you know who it was that accessed your  
21 Cardlock account on the night of June 28th, 2000?

22 A. It was Nick.

23 Q. How do you know it wasn't Bruce?

24 A. Because Bruce was home with me.

25 Q. After Leah disappeared, did you help Nick

Page 32

1 A. No, I didn't.

2 MR. FRANZ: Object, form of the question.

3 MR. MARSHALL: Objection, form.

4 MR. FRANZ: (Indiscernible).

5 (Court reporter clarified.)

6 MR. MARSHALL: Sorry, let me be clear on the  
7 record. State is objecting as -- leading.

8 COURT REPORTER: Thank you.

9 MS. PURACAL: And was there another  
10 objection?

11 MR. FRANZ: Did you get my objection?

12 MS. PURACAL: I don't think we heard you,  
13 Robert.

14 MR. FRANZ: Okay. Need to slow down, then.

15 MS. PURACAL: Sure.

16 MR. FRANZ: Yeah. I'm objecting as to  
17 relevancy.

18 BY MS. PURACAL:

19 Q. How much did you see about Leah's  
20 disappearance on the local news?

21 A. It was on the news quite -- the first --  
22 first six weeks until her -- she was found, and even  
23 shortly thereafter, just constantly every day.

24 Q. In those first few days after Leah went  
25 missing, did you ever talk to the Coquille Police

8 (Pages 29 to 32)

Page 33

1 Department?

2 A. In the first few days?

3 Q. Yes.

4 A. Just with leads that I had gotten and called  
5 in to them.

6 Q. Do you remember going to the police  
7 department?

8 A. On the one -- when Nick had -- oh, he was  
9 called down to test -- or to give them some  
10 information. Oh, it was on the -- excuse me. It was  
11 Friday, the Friday after she disappeared. I went down  
12 to the police station with Nick, and I think it was --  
13 Brent Bartley was with us, and the police just wanted  
14 to give him a -- account of his timeline that night,  
15 anything that he might know. And yes, I was there  
16 with him for that.

17 Q. Can you describe what that looked like?

18 A. The area was the old jail area, the old city  
19 area.

20 (Sarah Henderson joined the  
21 videoconference.)

22 THE WITNESS: And he went down the stairs,  
23 and he went into a big open room. We were sitting  
24 there. She -- Dannels and -- I forget his name --  
25 Dave Hall went with the officers in front, and me and

Page 35

1 Q. And when we were talking about that meeting  
2 on June 30th, this is back in 2000?

3 A. Right. Correct.

4 Q. So I think you might have said it was Chief  
5 Dannels at that point.

6 A. Oh, excuse me. No. Yes, it was Chief  
7 Reeves.

8 Q. Okay.

9 A. Yeah. Sorry.

10 Q. That's okay.

11 At some point, did your impression of the  
12 police change?

13 MR. FRANZ: Object, irrelevant.

14 THE WITNESS: Yes, it did. It was June --  
15 July 7th. It was two days after -- July 6th,  
16 July 7th, in there. Nick had been called down to the  
17 police station to -- they wanted to talk to him again,  
18 so he went -- him and Bruce went down there. And I  
19 was at work, and Bruce was there. Nick was testifying  
20 all day long. Finally, at some point late in the day,  
21 he -- because he was working on no sleep at all, and  
22 he finally said he was done, and at that point, we  
23 thought, well, this isn't going the way we thought it  
24 was, so we got an attorney.  
25

Page 34

1 Nick were sitting there, and then Brent was sitting  
2 right behind us.

3 BY MS. PURACAL:

4 Q. At that time, on June 30th --

5 A. Uh-huh.

6 Q. -- did you have any concerns about Nick  
7 going to talk to the police?

8 A. No.

9 Q. What did you think was the purpose of that  
10 meeting with the police?

11 A. We thought they just wanted --

12 MR. FRANZ: Object to relevancy.

13 You have to let me get my objection in. So  
14 objection, relevancy.

15 BY MS. PURACAL:

16 Q. Go ahead.

17 A. See, I lose train of thought when I get an  
18 objection.

19 Q. That's okay.

20 A. Could you repeat the question?

21 Q. Of course.

22 On that day, June 30th, what did you think  
23 the purpose of the meeting was?

24 A. Oh, to give them Nick's timeline and  
25 anything that he may know.

Page 36

1 BY MS. PURACAL:

2 Q. And what do you mean by that it was not  
3 going the way that you thought it was?

4 A. Just that the police were being one-sided,  
5 and just looking at Nick, and were not looking at, we  
6 didn't think, any of the other leads. And that --  
7 that's what I think -- thought.

8 Q. Do you remember what Nick was doing the  
9 night before that interview with the police?

10 A. That would have been -- so it was July 5th  
11 that he went down there. Excuse me. It was July 4th.  
12 He had -- him and Bruce had decided we had -- put  
13 fliers everywhere in Coos County and Coquille and  
14 North Bend area, that maybe we should try going up and  
15 down 101, Highway 101; and so they headed south from  
16 Bandon and spent -- stopping at every little  
17 community, seeing if -- had the fliers, seeing if  
18 anybody had seen her.

19 They called late -- later that evening and  
20 said they made it all the way to California, Crescent  
21 City, and were thinking about turning around and  
22 coming back, and they would continue the next day.  
23 And so they got home -- I don't know -- wee hours in  
24 the morning, and then the police department called it  
25 just after -- shortly thereafter.

9 (Pages 33 to 36)

Page 109

1 MR. MARSHALL: State is ordering.  
 2 MR. FRANZ: Franz is ordering.  
 3 MR. DEFREEST: Copy.  
 4 MS. JONES: Copy, please.  
 5 MR. MARSHALL: State is a copy, by the way.  
 6 (The deposition concluded at 12:50 p.m.  
 7 HST/3:50 p.m. PDT.)  
 8 (Exhibit Nos. 1-6 were marked for  
 9 identification.)

Page 111

1 ACKNOWLEDGEMENT OF DEPONENT  
 2 I, KATHLEEN MARIE MCGUFFIN, do hereby  
 3 acknowledge that I have read and examined the  
 4 foregoing testimony, and the same is a true, correct  
 5 and complete transcription of the testimony given by  
 6 me and any corrections appear on the attached Errata  
 7 Sheet signed by me.

10 (DATE) (SIGNATURE)

12 Signed before me this \_\_\_\_\_ day of  
 13 \_\_\_\_\_, 2023.

16 (WITNESS)

17 (Sign before witness. Witness does not need to be  
 18 notary)

20 MCGUFFIN v. DANNELS, et al.  
 21 CIVIL NO. 6:20-cv-01163-MK  
 22 DEPOSITION TAKEN ON Friday, September 8, 2023

Page 110

1 CERTIFICATE

3 STATE OF HAWAII )  
 4 ) SS.  
 5 COUNTY OF HAWAII )

6 I, TERI HOSKINS, CSR #452, State  
 7 of Hawaii, do hereby certify that the foregoing  
 8 transcript is a true and correct record of the  
 9 proceedings; that on Friday, September 8, 2023 at  
 10 10:07 a.m. HST/1:07 p.m. PDT, there appeared before me  
 11 the witness whose deposition is contained herein; and  
 12 that prior to being examined, the witness was by me  
 13 duly sworn; that said proceedings were taken by me  
 14 stenographically and thereafter reduced to typewriting  
 15 under my supervision; and that I am neither counsel  
 16 for, related to, nor employed by any of the parties to  
 17 this case and have no interest, financial or  
 18 otherwise, in the outcome.

13 That, if applicable, the witness was  
 14 notified through counsel, by mail, or by telephone to  
 15 appear and sign; that if the transcription is not  
 16 signed, either the reading and signing were waived by  
 17 the witness and all parties, or the witness has failed  
 18 to appear and the original is therefore kept on file  
 19 without signature pursuant to Court rules.

20 IN WITNESS WHEREOF, I have hereunto set my  
 21 hand this 2nd day of October, 2023.

22 \_\_\_\_\_  
 23 TERI HOSKINS, CSR #452  
 24 Registered Merit Reporter  
 25

Page 112

1 ERRATA SHEET

2 IN RE: MCGUFFIN v. DANNELS, et al.  
 3 CIVIL NO. 6:20-cv-01163-MK  
 4 DEPOSITION TAKEN ON Friday, September 8, 2023  
 5 DEPOSITION OF KATHLEEN MARIE MCGUFFIN  
 6 IF THERE ARE NO CHANGES, INITIAL \_\_\_\_ AND SIGN BELOW

8 PAGE LINE CORRECTION AND REASON

9 \_\_\_\_\_  
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23 (DATE) (SIGNATURE)

24 (ATTACH ADDITIONAL PAGES IF NECESSARY; INCLUDE PAGE  
 25 AND LINE NUMBERS ON PAGES SUBMITTED.)

28 (Pages 109 to 112)